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June 14, 2016

County of Los Angeles COMMUNITY AND SENIOR SERVICES

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Enriching Lives Through Effective And Caring Service



css.lacounty.gov

Cynthia D. Banks
Director
Otto Solórzano
Chief Deputy

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

35 June 14, 2016

LORI GLASGOW
EXECUTIVE OFFICER

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

AUTHORIZE COMMUNITY AND SENIOR SERVICES TO EXECUTE NONCOMPETITIVE AND SOLE-SOURCE SUBAWARDS WITH EXISTING SERVICE PROVIDERS FOR THE PROVISION OF ELDERLY NUTRITION PROGRAM SERVICES (ALL SUPERVISORIAL DISTRICTS) (3-VOTES)

SUBJECT

Community and Senior Services ("CSS") provides congregate and home-delivered meals to older individuals (age 60 and older) through the Elderly Nutrition Program ("ENP"). Congregate meals are served to clients at more than 100 sites and home-delivered meals are provided to clients on more than 100 meal routes throughout Los Angeles County, excluding the City of Los Angeles. CSS has been designated by the State of California Department of Aging ("CDA") as an Area Agency on Aging ("AAA") to administer ENP in accordance with the Older Americans Act ("OAA") and the Older Californians Act ("OCA") by providing these meal Services to residents countywide, excluding the City of Los Angeles, which is served by a separate AAA. CSS administers ENP through contracts ("subawards") with nineteen (19) contractors ("subrecipients" or "service providers"), which include twelve (12) cities, six (6) non-profit organizations and one (1) entity formed under a joint powers agreement ("JPA entity").

CSS seeks delegated authority to execute subawards to provide ENP Services as follows: 1) four (4)-year noncompetitive subawards with the following eleven (11) cities: Azusa, Burbank, Claremont, Culver City, El Monte, Gardena, Glendale, Inglewood, Pomona, South El Monte and West Covina; 2) one (1)-year noncompetitive subaward with the City of San Fernando; 3) one (1)-year sole-source subawards with the following six (6) non-profit organizations and one (1) JPA entity: Human Services Association, Jewish Family Service of Los Angeles, Santa Clarita Valley Committee on Aging Corporation, Steelworkers Old Timers Foundation, Young Men's Christian Association of Metropolitan Los Angeles; YWCA of San Gabriel Valley; and, Southeast Area Social Services

Funding Authority (JPA entity); and, 4) execute subaward amendments, as needed, with these subrecipients within their respective subaward terms to increase or decrease the subaward amounts.

The recommended actions will allow CSS to achieve cost savings by awarding noncompetitive subawards to the cities; ensure continuity in providing ENP Services throughout Los Angeles County by awarding sole-source subawards to the existing non-profit organizations and the JPA entity while CSS conducts a competitive solicitation process to procure subrecipients for the service areas covered by the non-profit organizations, the JPA entity and the City of San Fernando; and, provide administrative oversight for the implementation of ENP Services.

IT IS RECOMMENDED THAT THE BOARD:

1. Authorize the CSS Director, or designee, to enter into noncompetitive subawards with eleven (11) cities in accordance with State regulations governing ENP, outlined in Title 22 California Code of Regulations Section 7360 (Noncompetitive Awards), which allows for noncompetitive procurement of service providers who are governmental entities, for the subaward term of July 1, 2016 – June 30, 2020 to provide ENP Services for a total estimated annual amount of \$2,689,476 (see Attachment I for a list of the subrecipients and subaward amounts). Allocations to the subrecipients are subject to the availability of funding and are contingent upon each subrecipient's performance in meeting the goals of the ENP as well as each subrecipient's adherence to its subaward terms. CSS will obtain County Counsel approval as to the form of the subawards prior to executing these subawards and CSS shall provide written confirmation to the CEO within thirty (30) days of completing this action.

2. Authorize the CSS Director, or designee, to enter into a noncompetitive subaward with the City of San Fernando in accordance with State regulations governing ENP, outlined in 22 CCR 7360 (Noncompetitive Awards), which allows for noncompetitive procurement of service providers who are governmental entities, for the subaward term of July 1, 2016 – June 30, 2017 to provide ENP Services for a total estimated annual amount of \$90,818 as indicated in Attachment I. Allocations to this subrecipient are subject to the availability of funding and are contingent upon the subrecipient's performance in meeting the goals of the ENP as well as its adherence to its subaward terms. CSS will obtain County Counsel approval as to the form of this subaward prior to executing it and CSS shall provide written confirmation to the CEO within thirty (30) days of completing this action.

3. Authorize the CSS Director, or designee, to enter into sole-source subawards with six (6) non-profit organizations and one (1) JPA entity in accordance with State regulations governing ENP, outlined in Title 22 California Code of Regulations Section 7360 (Noncompetitive Awards), which allows for noncompetitive procurement of service providers when the awarding agency (CSS/County) allows for such actions, for the subaward term of July 1, 2016 – June 30, 2017 to provide ENP Services for a total estimated annual amount of \$10,516,871 (see Attachment I for a list of the subrecipients and subaward amounts). Allocations to these subrecipients are subject to the availability of funding and are contingent upon each subrecipient's performance in meeting the goals of the ENP as well as each subrecipient's adherence to its subaward terms. CSS will obtain County Counsel approval as to the form of the subawards prior to executing these subawards and CSS shall provide written confirmation to the CEO within thirty (30) days of completing this action.

4. Authorize the CSS Director, or designee, to execute amendments with these subrecipients, which serve the best interests of the County, during each subrecipient's subaward term as follows: 1) add new, relevant or updated Federal, State and/or County subaward terms; and, 2) increase or decrease the subaward amounts (including but not limited to baseline funds, one-time-only funds, Nutrition Services Incentive Program monies and/or supplemental monies) in response to the availability of funding and/or based on subrecipient's performance provided that: (a) total allocation

does not exceed available funding; (b) CSS obtains County Counsel approval as to the form of the amendment prior to any such amendment; and, (c) CSS provides written confirmation to your Board and the CEO within thirty (30) days of completing this action. This action would ensure full expenditure of the ENP funds and is consistent with your Board's policy requiring review of each service provider's performance.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

ENP consists of three (3) primary Program components: Congregate Meals Program ("Title III C-1 Program"), Home-Delivered Meals Program ("Title III C-2 Program") and Telephone Reassurance Program ("Title III B Program"). The purpose of ENP is to maintain and/or improve the physical, psychological and social well-being of older individuals and functionally impaired individuals by providing nutritionally balanced meals to clients at strategically located congregate meal sites, by delivering meals to homebound clients and by providing regular contact and safety checks over the phone to reassure homebound clients. CSS currently administers ENP through subawards with nineteen (19) subrecipients, which include twelve (12) cities, six (6) non-profit organizations and one (1) JPA entity.

The current ENP Subawards with the nineteen (19) subrecipients expire on June 30, 2016. For FY 2016-17, costs to implement ENP Services are rising as a result of factors that include the County's recent minimum wage increases, new cyber insurance requirements for ENP service providers and the mandate that food service providers use non-styrofoam containers. To address these cost increases, CSS negotiated favorable rates with the twelve (12) cities, six (6) non-profit organizations and the JPA entity. As a result, the recommended actions will allow CSS to achieve cost savings by awarding noncompetitive subawards to the cities and sole-source subawards to the non-profit organizations and the JPA entity while CSS conducts a competitive solicitation process.

Implementation of Strategic Plan Goals

The recommended actions support the following Countywide Strategic Plan Goals: 1) Operational Effectiveness, 2) Fiscal Sustainability, and 3) Integrated Services Delivery.

FISCAL IMPACT/FINANCING

ENP is financed with Federal, State and Net County Cost monies. The requested Board authority will allow CSS to allocate an aggregate of \$13.3 million during a period of twelve (12) months to continue providing ENP Services. For the eleven (11) cities, funding will be distributed over four (4) Fiscal Years for an estimated annual amount of \$2.7 million and an estimated total 4-year amount of \$10.8 million. For the City of San Fernando, FY 2016-17 funding will be distributed at an estimated amount of \$91,000. For the non-profit organizations and the JPA entity, FY 2016-17 funding will be distributed at an estimated amount of \$10.5 million.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

CSS receives OAA and OCA funds from CDA and Net County Cost monies to administer ENP Services throughout Los Angeles County, excluding the City of Los Angeles. In accordance with Federal, State and County procurement standards, CSS completed a competitive Request for Proposal solicitation in FY 2011-12 to obtain subrecipients to provide these Program Services. CSS currently contracts with nineteen (19) subrecipients, which include twelve (12) cities, six (6) non-profit organizations and one (1) JPA entity. These subawards commenced on July 1, 2012 and are due to

expire on June 30, 2016. With your Board's approval, CSS will continue implementation of ENP Services by entering into nineteen (19) subawards beginning on July 1, 2016 as follows: four (4)-year noncompetitive subawards with the cities; one (1)-year noncompetitive subaward with the City of San Fernando; and, one (1)-year sole-source subawards with six (6) non-profit organizations and one (1) JPA entity.

CSS requests your Board's approval to enter into four (4)-year noncompetitive subawards with the eleven (11) cities pursuant to State regulations governing ENP which are found in 22 CCR 7360 (Noncompetitive Awards) whereby as a governmental entity, CSS may procure another governmental entity(ies) when the goods/services being procured will result in efficiency and economy. These noncompetitive subawards will be effective for the term of July 1, 2016 through June 30, 2020. CSS has successfully negotiated favorable rates with the majority of the cities in order to address the impact of increased ENP costs (i.e., the majority of the cities agreed to maintain their current rates despite expected rising costs and have agreed to provide the same level of ENP Services over the term of their subawards).

CSS requests your Board's approval to enter into a noncompetitive subaward with the City of San Fernando pursuant to State regulations governing ENP which are found in 22 CCR 7360, for a one (1)-year term effective July 1, 2016 through June 30, 2017. CSS and the City of San Fernando have determined that it is in the best interests of the County to include the service area that is currently being served by the City of San Fernando in the procurement that will be conducted in FY 2016-17. This action will allow CSS to procure a new subrecipient as part of the competitive solicitation that will be conducted during FY 2016-17 whereby the successful proposer will serve the area currently served by the City of San Fernando.

CSS requests your Board's approval to enter into sole-source subawards with the six (6) non-profit organizations and one (1) JPA entity pursuant to State regulations governing ENP which are found in 22 CCR 7360 (Noncompetitive Awards) whereby CSS/County as the awarding agency (as defined in Title 45 Code of Federal Regulations Part 92.3) authorizes noncompetitive procurements. This action will allow CSS to continue full implementation of ENP Services while CSS conducts a competitive solicitation during FY 2016-17 to procure subrecipients to serve the areas that are covered by the non-profit organizations, the JPA entity and the City of San Fernando. In accordance with your Board's Policy Manual, Chapter 5.100 (Sole Source Contracts), CSS has completed the sole-source checklist and justification which has been approved by the CEO and is included herein as Attachment II.

CSS has previously notified your Board about its intent to enter into these noncompetitive and sole-source subawards. The subrecipients identified in Attachment I are in compliance with all Board and County requirements. The ENP subawards include both standard County terms and conditions in addition to Federal and State terms and conditions that are required for CSS to administer/operate ENP. Further, ENP subawards are not subject to the requirements for Proposition A in which living wage laws would be applicable. CSS will obtain County Counsel approval as to the form of the subawards prior to their execution and/or amendment.

The Federal portion of the ENP funding is made available pursuant to the OAA and these funds have been assigned a Catalog of Federal Domestic Assistance ("CFDA") program number as follows:

- OAA Title III C funds (which includes Title III C-1 and Title III C-2): 93.045 (Special Programs for the Aging Title III Part C (Nutrition Services))
- OAA Title III B funds: 93.044 (Special Programs for the Aging Title III Part B (Grants for Supportive Services and Senior Centers))

CONTRACTING PROCESS

Upon your Board's approval, CSS will enter into noncompetitive subawards with the twelve (12) cities in accordance with 22 CCR 7360 (Noncompetitive Awards). The subaward term for eleven (11) of these cities will be July 1, 2016 through June 30, 2020. The subaward term for the City of San Fernando will be July 1, 2016 through June 30, 2017.

Upon your Board's approval, CSS will enter into sole-source subawards with the six (6) non-profit organizations and one (1) JPA entity for the term of July 1, 2016 through June 30, 2017 while CSS conducts a competitive solicitation to procure subrecipients to serve the areas covered by the non-profit organizations, the JPA entity and the City of San Fernando. The resulting subawards will be effective for the term of July 1, 2017 – June 30, 2020. Upon completion of this procurement, CSS will notify your Board of the recommended subrecipients. These sole-source subawards will not be renewed beyond the start date of the newly procured subawards.

MONITORING REQUIREMENT

Administrative, programmatic and fiscal monitoring of ENP subrecipients will be conducted on an annual basis to ensure subaward compliance. Administrative and programmatic monitoring are completed by CSS' Contract Compliance Division. Fiscal monitoring is conducted annually by an approved vendor procured through the Los Angeles County Auditor-Controller's Master Agreement.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the recommended actions will allow for the continued provision of ENP Services throughout Los Angeles County (excluding the City of Los Angeles) and it will afford CSS the opportunity to successfully complete the procurement process in order to award new subawards for the service areas covered by the non-profit organizations, the JPA entity and the City of San Fernando effective for the subaward term of July 1, 2017 through June 30, 2020. ENP Services provide over 2.1 million meals throughout Los Angeles County and without these Services, some older individuals are faced with a lack of food since ENP provides their daily source of a meal.

CONCLUSION

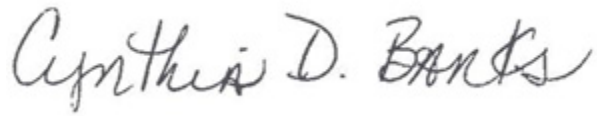
If you have questions, please contact Ms. Tsotso Odamtten at (213) 738-2663 or tsotso@css.lacounty.gov.

The Honorable Board of Supervisors

6/14/2016

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Respectfully submitted,

A handwritten signature in dark ink, reading "Cynthia D. Banks". The signature is written in a cursive, flowing style.

CYNTHIA D. BANKS

Director

CDB:OS:PG:CD:SI

R:TO

Enclosures

c: Chief Executive Officer
County Counsel
Executive Officer, Board of Supervisors

ATTACHMENT I

ELDERLY NUTRITION PROGRAM PUBLIC AGENCY SERVICE PROVIDERS SUBAWARD TERM: JULY 1, 2016 – JUNE 30, 2020 ESTIMATED FUNDING AMOUNTS

Service Provider Name	Maximum Annual Subaward Sum
City of Azusa	\$107,574
City of Burbank	\$354,343
City of Claremont	\$106,501
City of Culver City	\$206,942
City of El Monte	\$101,561
City of Gardena	\$359,634
City of Glendale	\$234,174
City of Inglewood	\$696,324
City of Pomona	\$179,114
City of San Fernando	\$90,818
City of South El Monte	\$169,091
City of West Covina	\$174,218
Total	\$2,780,294

**ELDERLY NUTRITION PROGRAM NON-PROFIT SERVICE PROVIDERS
SUBAWARD TERM: JULY 1, 2016 – JUNE 30, 2017
ESTIMATED FUNDING AMOUNTS**

Service Provider Name	Maximum Annual Subaward Sum
Human Services Association	\$1,891,881
Jewish Family Service of Los Angeles	\$185,633
Santa Clarita Valley Committee on Aging Corporation	\$625,119
Southeast Area Social Services Funding Authority	\$750,688
Steelworkers Old Timers Foundation	\$2,707,810
Young Men's Christian Association of Metropolitan Los Angeles	\$206,708
YWCA of San Gabriel Valley	\$4,149,032
Total	\$10,516,871

ATTACHMENT II

SOLE-SOURCE CHECKLIST ELDERLY NUTRITION PROGRAM

Check (√)	JUSTIFICATION FOR SOLE SOURCE CONTRACTS
	Identify applicable justification and provide documentation for each checked item.
	➤ Only one bona fide source for the service exists; performance and price competition are not available.
√	➤ Quick action is required (emergency situation).
	➤ Proposals have been solicited but no satisfactory proposals were received.
	➤ Additional services are needed to complete an ongoing task and it would be prohibitively costly in time and money to seek a new service provider.
	➤ Maintenance service agreements exist on equipment which must be serviced by the authorized manufacturer's service representatives.
	➤ It is most cost-effective to obtain services by exercising an option under an existing contract.
√	➤ It is in the best interest of the County e.g., administrative cost savings, excessive learning curve for a new service provider, etc.
√	Other reason. Please explain: Authority to enter into sole-source subawards is based on State regulations which govern the Program.

sid Kikkawa

Deputy Chief Executive Officer, CEO (Name)

s. Kikkawa

Deputy Chief Executive Officer, CEO (Signature)

6/2/16

Date

Attachment II

Justification for Sole-Source Subawards – Elderly Nutrition Program

Page 2

Community and Senior Services (“CSS”) receives Older Americans Act and Older Californians Act funds from its funding source, California Department of Aging (“CDA”) in addition to Net County Costs to administer Elderly Nutrition Program (“ENP”) Services throughout Los Angeles County, excluding the City of Los Angeles. CSS administers ENP through contracts (“subawards”) with various contractors (“subrecipients” or “service providers”), which include six (6) non-profit organizations and one (1) entity formed under a joint powers agreement (“JPA entity”), to provide these ENP Services (see Attachment I). The current subawards will expire on June 30, 2016. For FY 2016-17, costs to implement ENP Services are rising as a result of factors that include the County’s recent minimum wage increases, new cyber insurance requirements for ENP service providers and the mandate that food service providers use non-styrofoam containers. To address these cost increases and continue Service delivery during FY 2016-17, CSS negotiated favorable rates with the six (6) non-profit organizations and the JPA entity. State regulations governing ENP, which are outlined in Title 22 California Code of Regulations Section 7360 (Noncompetitive Awards), allow an awarding agency (i.e., CSS/County), as defined in Title 45 Code of Federal Regulations Part 92.3, to engage in these subawards when the awarding agency (i.e., CSS/County) authorizes noncompetitive proposals (i.e., sole-source awards). Therefore, upon Board authorization, CSS will enter into sole-source subawards with these six (6) non-profit organizations and the JPA entity while CSS conducts the solicitation process.

In accordance with the Board’s Policy Manual, Chapter 5.100 (Sole Source Contracts), CSS has prepared a notice to the Board about CSS’ intent to enter into these sole-source subawards. Additionally, since CDA has required CSS to obtain its approval prior to engaging in certain actions, CSS has informed CDA about this approach to execute sole-source subawards with the current non-profit organizations and JPA entity pursuant to 22 CCR 7360 (Noncompetitive Awards).

It is in the best interests of the County to approve these sole-source subawards for the following reasons: this quick action is necessary in order to avoid a break in the provision of ENP Services throughout Los Angeles County (excluding City of Los Angeles) which would occur effective July 1, 2016 if this action isn’t taken; in accordance with State regulations governing ENP, CSS has authority to enter into noncompetitive agreements (i.e., sole-source subawards); this action will allow CSS to effectively conduct the competitive procurement and award new subawards for the term July 1, 2017 through June 30, 2020; these subrecipients have established experience and knowledge in providing ENP Services; and, without these ENP Services, some older individuals are faced with a lack of food since ENP provides their daily source of a meal.

Attachment II
Justification for Sole-Source Subawards – Elderly Nutrition Program
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CSS continues to move forward with the ENP solicitation and this procurement is expected to be completed no later than June 30, 2017 in order to have new subawards in place for the term of July 1, 2017 – June 30, 2020.

ATTACHMENT I

**ELDERLY NUTRITION PROGRAM NON-PROFIT SERVICE PROVIDERS
SUBAWARD TERM: JULY 1, 2016 – JUNE 30, 2017
ESTIMATED FUNDING AMOUNTS**

Service Provider Name	Maximum Annual Subaward Sum
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